

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 09-20199

United States Court of Appeals
Southern District of Texas
FILED

APR 28 2009

Michael N. Milby, Clerk

CANATXX ENERGY VENTURES INC,

Plaintiff - Appellant Cross-Appellee

versus

GENERAL ELECTRIC CAPITAL CORPORATION,

Defendant - Appellee Cross-Appellant

Appeal from the United States District Court for the Southern District of
Texas at Houston

Pursuant to appellant's unopposed motion this appeal is dismissed this 23
day of April, 2009 , see FED. R. APP. P. 42(b).

CHARLES R. FULBRUGE III

Clerk of the United States Court
of Appeals for the Fifth Circuit

By: /s/ Steve Totor
Steve A. Totor, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

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No. 09-20199

APR 22 2009

CANATXX ENERGY VENTURES, INC.,

CHARLES R. FULBRUGE III
CLERK

Appellant

v.

GENERAL ELECTRIC CAPITAL
CORPORATION

Appellee

*ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT
OF TEXAS IN H-99-CV-4425, JUDGE KENNETH M. HOYT*

APPELLANT'S UNOPPOSED MOTION TO DISMISS APPEAL

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Attorney for Appellant

Canatxx Energy Ventures, Inc. ("Canatxx"), Appellant, files this Unopposed Motion to Dismiss Appeal of this cause based on the following grounds:

I.

The parties have settled their dispute related to the costs taxed by the District Court, and have agreed to dismiss their respective appeals.

II.

For this reason, Canatxx requests that the Court dismiss its appeal with prejudice, immediately upon the Court's receipt of Appellee's motion to dismiss.

III.

Counsel for Appellee does not oppose this motion.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that Canatxx's Motion to Dismiss Appeal was duly served on the counsel for Appellant listed below via Federal Express on the 21st day of April, 2009:

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